



State of Georgia
Department of Natural Resources
ENVIRONMENTAL PROTECTION DIVISION



HAZARDOUS WASTE FACILITY PERMIT

Permit No. 043(S)

Facility I.D. No. GAD003308145

In accordance with the provisions of the Georgia Hazardous Waste Management Act and the Rules, Chapter 391-3-11, (as amended through Sept. 26, 1986), adopted pursuant to that Act,

General Electric Company, Rome

is issued a Permit for the following:

Storage of 89,375 gallons of hazardous waste in containers

at the following location:

1935 Redmond Circle
Rome, Georgia. 30161

10087385



This Permit is conditioned upon compliance with all provisions of the Georgia Hazardous Waste Management Act, the Rules, Chapter 391-3-11 (as amended through Sept. 26, 1986) adopted pursuant to that Act, and any other condition of this Permit.

This Permit is subject to revocation, suspension, modification or amendment by the Director for cause including evidence of noncompliance with any of the above, or for any misrepresentation made in the application(s) dated May 12, 1987 supporting data entered therein or attached thereto, or any subsequent submittals or supporting data; or for failure to disclose fully all relevant facts; or when the facility poses a threat to the environment or the health of humans.

This Permit is further subject to and conditioned upon the terms, conditions, limitations, standards, or schedules contained in or specified on the attached 11 page(s), which page(s) are a part of this Permit.

Permit Issuance Date: June 30, 1987

Permit Termination Date: June 30, 1997

J. Leonard LeBlond
Director
Environmental Protection Division

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General Electric Company Rome Georgia, GAD003308145 is hereinafter referred to as the Permittee.

SECTION 1. General Permit Conditions

A. Scope and Effect of Permit

1. The Permittee is allowed to store hazardous waste in accordance with the conditions of this permit. Any hazardous waste treatment, storage or disposal not authorized in this permit is prohibited. The Permittee must comply with the Georgia Hazardous Waste Management Act and the Rules for Hazardous Waste Management, Chapter 391-3-11, which Rules include certain portions of the Federal Hazardous Waste Regulations (found in 40 CFR 260-264, 270, and 124). Where a citation to the Federal Regulations is made in this permit, it refers to the specific regulations adopted by EPD.
2. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
3. Compliance with this permit does not constitute a defense to any action brought by the Director under Section 18, Emergency Powers, of the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-75, as amended.
4. Nothing in this permit shall be construed to preclude the institution of any legal action under Section 3008 of the Federal Resource Conservation and Recovery Act or under the Georgia Hazardous Waste Management Act, O.C.G.A. §§ 12-8-81 - 12-8-82, as amended.
5. This permit may be modified, revoked and reissued, or terminated for cause as specified in Rule 391-3-11.11(7) and §270.41, 270.42, 270.43, 270.50(d) and 270.51(a). The filing of a request for a permit modification, variation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability of any permit condition.
6. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

B. Management Requirements

1. The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted

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facility or of any planned changes in the process generating the hazardous waste which changes might affect the performance of the permitted facility.

2. The Permittee shall maintain at the facility until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions and modifications to these documents:
 - (a) Complete copy of this permit and permit application
 - (b) Waste Analysis Plan
 - (c) Personnel training documents and records
 - (d) Contingency plan
 - (e) Closure and post-closure plans
 - (f) Operating record
3. All amendments, revisions and modifications to any plan or cost estimates required by this permit shall be submitted to the Director for approval and permit modification as necessary.
4. When the Permittee becomes aware that the Permittee failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Director, the Permittee shall promptly submit such facts or information.
5. The Permittee shall at all times properly operate and maintain all facilities which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of a back-up or auxiliary facility or similar systems only when necessary to achieve compliance with the conditions of this permit.
6. The Permittee may not commence treatment, storage or disposal of hazardous waste at any new or modified portion of the facility or corrective action of contaminated groundwater until the Permittee has submitted to the Director by certified mail or hand delivery a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit where appropriate; and

The Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

The Director has either waived the inspection or has not within 15 days notified the Permittee of his or her intent to inspect.

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C. Monitoring and Reporting

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 261. Laboratory methods must be those specified in the most recent editions of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW 846; or Standard Methods for the Examination of Water and Wastewater; (or an equivalent method as specified in the Waste Analysis Plan). Sampling and analyses of groundwater samples shall be conducted in accordance with methods and procedures acceptable to the Director.
2. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit and records of all data used to complete the application for this permit for a period of at least 5 years from the date of the sample, measurement, report or record. These periods are automatically extended during the course of any unresolved enforcement action regarding this facility and also may be extended at any time at the Director's discretion.
3. Records of monitoring information shall include:
 - (a) The date, exact place and time of sampling or measurements
 - (b) The individual(s) who performed the sampling
 - (c) The date(s) analyses were performed
 - (d) The individual(s) who performed the analyses
 - (e) The analytical techniques or methods used; the method of sample preservation; and quality assurance methods
 - (f) The results of such analyses.
4. The Permittee shall report to the Director or his representative orally within 1 hour from the time the Permittee becomes aware of any circumstances resulting from the operation of the hazardous waste management facility (including periods of noncompliance) which may endanger health or the environment, including but not limited to:
 - (a) Release of any hazardous waste that may cause an endangerment to public drinking water supplies.
 - (b) Release or discharge of hazardous waste or a fire or explosion which could threaten human health or the environment outside the facility.

The description of the occurrence shall include:

- (1) Name, address and telephone number of the owner or operator;

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- (ii) Name, address, and telephone number of facility;
 - (iii) Date, time and type of incident;
 - (iv) Name and quantity of materials involved;
 - (v) The extent of injuries, if any;
 - (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
 - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
5. Within fifteen days of becoming aware of any reportable incident as in C-4 above which may endanger health or the environment, the Permittee shall submit a written report of the incident covering the following:
- (a) Description of occurrence as in C-4 above
 - (b) Cause of occurrence
 - (c) Period of occurrence, including exact dates and times
 - (d) Time occurrence expected to continue (if not already corrected)
 - (e) Steps taken or planned to reduce, eliminate, and prevent recurrence.
6. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
7. The Permittee shall report instances of non-compliance, other than those described in conditions C-4 and C-6, semi-annually on July 15 (covering January 1 - June 30) and January 15 (covering July 1 - December 31). The report shall cover the information requested in condition C-4 for each incident.
8. All reports or other information requested by the Director shall be signed and certified according to the requirements in §270.11.

D. Responsibilities

1. Right of Entry. The Permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials and other documents as may be required by law to:
- (a) Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

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- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Georgia Hazardous Waste Management Act, any substances or parameters at any location.
2. Transfer of Permits. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to §270.41(b)(2) or §270.42(d). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270.
 3. Duty to Comply. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such non-compliance is authorized by an emergency permit. Any non-compliance with this permit constitutes a violation of the Georgia Hazardous Waste Management Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application.
 4. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must submit a complete application for a new permit at least 180 days before this permit expires.
 5. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
 6. Duty to Mitigate. The Permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment or human health resulting from non-compliance with this permit.
 7. Duty to Provide Information. The Permittee shall furnish to the Director, within a reasonable time, any relevant information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with the permit. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.
 8. Anticipated Non-Compliance. The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

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E. DEFINITIONS

For purposes of this permit, terms used herein shall have the same meaning as those in 40 CFR Parts 124, 260, 264 and 270, unless this permit specifically provides otherwise; where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

1. **Land Disposal Facility:** A facility that uses a surface impoundment, landfill, land treatment or waste pile unit to manage or dispose of hazardous waste pursuant to §12-8-66 of the Georgia Hazardous Waste Management Act, as amended, and §3004 of RCRA, as amended.
2. **Hazardous constituent** for the purpose of this permit are those substances listed in 40 CFR Part 261 Appendix VIII.
3. **Solid Waste Management Unit** for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank (including storage, treatment, and accumulation tanks), container storage unit, wastewater treatment unit, including all conveyances and appurtenances used in waste management or storm water handling, elementary neutralization unit, transfer station, or recycling unit from which hazardous waste, hazardous waste constituents or hazardous constituents might migrate, irrespective of whether the units were intended for the management of solid and/or hazardous waste.
4. **Release** for the purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste, hazardous waste constituents or hazardous constituents.
5. **Contamination** for the purposes of this permit refers to the presence of any hazardous waste, hazardous waste constituents or hazardous constituents in a concentration which exceeds the naturally occurring concentration of that waste or constituent in the immediate vicinity of the facility (in areas not affected by the facility).
6. **Corrective action** for prior or continuing releases from solid waste management units as well as for other releases as described in 4. above for the purposes of this permit may include "corrective action" as provided for in 40 CFR §264.100, and other remedial actions for any environmental media as deemed appropriate by the Director to protect public health or the environment.

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F. Conditions Related to Compliance with General Facility Standards
(40 CFR Part 264 Subparts B, C, D, E, G, H)

1. The Permittee must follow the procedures and plans described in detail in the permit application dated May 12, 1987 as amended, which are hereby incorporated by reference and include at least the following:
 - . Waste Analysis Plan, Section C
 - . Contingency Plan, Section G
 - . Inspection Schedule, Section F
 - . Closure and Post-Closure Plans, Section I
 - . Training Program, Section H
2. The following activities must be carried out as prescribed in 40 CFR Part 264 Subparts B, C, D, and E.
 - . Security - 264.14(b) and (c)
 - . Repairs and Inspection Log - 264.15(c) and (d)
 - . Annual review of training - 264.16(c)
 - . General requirements for ignitable, reactive and incompatible wastes - 264.17
 - . Design and Operation - 264.31
 - . Access to communications or alarm system - 264.34
 - . Testing and Maintenance of Equipment - 264.33
 - . Arrangements with local authorities - 264.37
 - . Amendment of Contingency Plan - 264.54
 - . Reports - 264.73, 264.74, 264.75 and 264.77
3. The following activities must be carried out as prescribed in 40 CFR Part 264 Subpart G, H and Section I of the permit application.
 - . Closure performance standard - 264.111-.112
 - . Closure in accordance with approved Plan - 264.113
 - . Amendment of Closure Plan and Notification of Closure - 264.112(b) and (c)
 - . Disposal or decontamination of equipment - 264.114
 - . Certification of Closure - 264.115
4. The permittee must maintain sudden liability coverage of \$1,000,000 for each occurrence and \$2,000,000 annual aggregate until certifications of closure as specified in §264.115 are received by the Director. Liability coverage must be in effect before the permittee is authorized to manage hazardous waste under this permit. The Permittee must carry out the activities as specified in §264.147.
5. The permittee must comply with §264.148 whenever necessary.

G. Special Conditions Applicable to Entire Facility

The Permittee shall be required to certify no less often than annually that the Permittee has a program in place to reduce the volume and

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toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable, and the proposed method of treatment, storage or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment in accordance with 40 CFR §264.73(b)(9).

SECTION II. STORAGE IN CONTAINERS

A. General:

The conditions in this section apply only to the container storage area depicted in Sections A and B of the permit application dated May 12, 1987.

B. Conditions Related Solely to Storage in Containers

1. Storage in containers is expressly limited to the hazardous waste drum storage area described in Section D of the permit application.
2. The Permittee is authorized to store a maximum of 89,375 gallons of hazardous waste in containers, as identified in Section C-1a of the application.
3. If a container holding hazardous waste is not in good condition, or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition.
4. Containers must be managed according to 264.173.
5. Spilled or leaked waste and accumulated precipitation must be managed per 264.175(b)(5).
6. Incompatible wastes and materials must be managed according to 264.117.

SECTION III. Corrective Action for Solid Waste Management Units and Other Releases

A. RCRA Facility Assessment (RFA) Investigation Plan

1. The conditions of this Section apply to the solid waste management units listed below as identified on drawing #1 entitled "Topographic Map and Area Map of Plant Site and Environs" dated May 22, 1985 in the application, and any additional solid waste management units discovered during the course of future groundwater monitoring, on-going field investigations, environmental audits, and other means:

- i. Disposal Area A
- ii. Disposal Area B
- iii. Disposal Area C

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2. The Permittee shall prepare a solid waste management unit assessment plan and proposed schedule for implementation and completion for the following:
 - (a) each solid waste management unit listed in Condition III.A.1. for which an assessment plan has not yet been prepared which is known or suspected to have releases of hazardous waste, hazardous constituents or hazardous waste constituents into the environment; and
 - (b) any additional solid waste management unit discovered subsequent to issuance of this permit which is known or suspected to have releases of hazardous waste, hazardous constituents or hazardous waste constituents into the environment.
3. The plans in 2 above shall include methods and specific actions as necessary to determine whether a prior or continuing release of hazardous waste, hazardous waste constituents, or hazardous constituents has occurred at each solid waste management unit. The plan must also include, at a minimum, the following information for each unit:
 - (a) Type of unit
 - (b) Location of each unit on a topographic map of appropriate scale
 - (c) General dimensions and capacities
 - (d) Function of unit
 - (e) Dates that the unit was operated
 - (f) Description of the wastes that were placed in the unit
 - (g) Description of any known releases or spills (to include groundwater data, soil analyses, and or surface water data)

The assessment plan shall be submitted within 120 days of issuance of this permit for those units covered under Conditions III. A.1. and III. A.2.(a), and shall be submitted within sixty (60) days of discovery for those units under Condition III.A.2(b).

*- this date
may need
changed*

B. Remedial Investigation Plan

1. The Permittee shall prepare a solid waste management unit remedial investigation plan for those units listed in Condition III.A.1. which includes schedules of implementation and completion of specific actions necessary to determine the nature and extent of releases indicated by the assessment investigation plan, and the potential pathways of contaminant releases to the air, land, surface water, and groundwater. The Permittee must provide documentation that a release is not probable if a unit identified in the assessment plan is not included in the remedial investigation plan.

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2. For those units identified under Condition III.A.2.(b), the Permittee shall prepare a solid waste management unit remedial investigation plan which includes schedules of implementation and completion of specific actions necessary to determine the nature and extent of releases indicated by the assessment plan, and the potential pathways of contaminant releases to the air, land, surface water, and groundwater, within one hundred and twenty (120) days of submittal of the plan specified under Condition III.A.3.(b). The Permittee must provide documentation that a release is not probable if a unit identified in the assessment plan is not included in the remedial investigation plan.

C. Corrective Action Plan

1. The Director shall review the final reports on the remedial investigations conducted under Condition III.B.1. and III.B.2 and notify the Permittee of the need for further investigative actions and/or the need for corrective action as required under §264.101(a).
2. Upon determination that corrective action is needed, the Permittee shall submit a corrective action plan in accordance with a schedule to be determined by the Director. The proposed corrective action plan must include a description of the corrective measures to be taken at each unit, a schedule of implementation and completion, and a cost estimate for completion of corrective action.
3. If the Permittee at any time determines that the solid waste management unit remedial investigation or corrective action plans required under Conditions III.A., III.B. and III.C. no longer satisfy the requirements of §264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units, he must submit an amended plan(s) to the Director within one hundred and twenty (120) days of such determination.

D. Schedules of Compliance

1. The Permittee shall submit the items required by Conditions III.B.1. and the associated documentation to the Director within one hundred and twenty (120) days of the effective date of this permit.
2. The Permittee shall submit a remedial investigation plan as required by Condition III.B.1. and the associated documentation to the Director within one hundred and twenty (120) days of submittal of items required by Condition III.A.2.
3. All plan and schedules shall be subject to approval by the Director prior to implementation. The Permittee shall revise all submittals as specified by the Director. Upon approval by the Director all plans and schedules are incorporated into the Permit.

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4. If the time required to complete any interim activity is more than one year, the schedule shall specify interim dates for the submission of reports of progress toward satisfaction of the interim requirements.
5. The results of all plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Director based on the Permittee's demonstration that sufficient justification for the extension exists.

E. PERMIT MODIFICATION

If required to develop a corrective action plan under III.C., the Permittee shall apply for a permit modification pursuant to §270.41 to incorporate the plan into the permit.